

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

GEORGE HENGLE, SHERRY BLACKBURN,  
WILLIE ROSE, ELWOOD BUMBRAY, TIFFANI  
MYERS, STEVEN PIKE, SUE COLLINS,  
LAWRENCE MWETHUKU, *on behalf of*  
*themselves and all individuals similarly situated,*

Plaintiffs,

v.

SCOTT ASNER; JOSHUA LANDY; SHERRY  
TREPPA, CHAIRPERSON OF THE  
HABEMATOLEL POMO OF UPPER LAKE  
EXECUTIVE COUNCIL, *in her official capacity*;  
TRACEY TREPPA, VICE-CHAIRPERSON OF  
THE HABEMATOLEL POMO OF UPPER LAKE  
EXECUTIVE COUNCIL, *in her official capacity*;  
KATHLEEN TREPPA, TREASURER OF THE  
HABEMATOLEL POMO OF UPPER LAKE  
EXECUTIVE COUNCIL, *in her official capacity*;  
IRIS PICTON, SECRETARY OF THE  
HABEMATOLEL POMO OF UPPER LAKE  
EXECUTIVE COUNCIL, *in her official capacity*;  
SAM ICAY, MEMBER-AT-LARGE OF THE  
HABEMATOLEL POMO OF UPPER LAKE  
EXECUTIVE COUNCIL, *in his official capacity*;  
AIMEE JACKSON-PENN, MEMBER-AT-LARGE  
OF THE HABEMATOLEL POMO OF UPPER  
LAKE EXECUTIVE COUNCIL, *in her official*  
*capacity*; AMBER JACKSON, MEMBER-AT-  
LARGE OF THE HABEMATOLEL POMO OF  
UPPER LAKE EXECUTIVE COUNCIL, *in her*  
*official capacity*;

Defendants.

Civil Action No. 3:19-250

**TRIBAL DEFENDANTS' MOTION TO DISMISS**

For the reasons stated in the accompanying Memorandum in Support of this Motion, Defendants Sherry Treppa, Chairperson of the Habematolel Pomo of Upper Lake Executive Council, *in her official capacity*; Tracey Treppa, Vice-Chairperson of the Habematolel Pomo of Upper Lake Executive Council, *in her official capacity*; Kathleen Treppa, Treasurer of the Habematolel Pomo of Upper Lake Executive Council, *in her official capacity*; Iris Picton, Secretary of the Habematolel Pomo of Upper Lake Executive Council, *in her official capacity*; Sam Ica, Member-at-Large of the Habematolel Pomo of Upper Lake Executive Council, *in his official capacity*; Aimee Jackson-Penn, Member-at-Large of the Habematolel Pomo of Upper Lake Executive Council, *in her official capacity*; and Amber Jackson, Member-at-Large of the Habematolel Pomo of Upper Lake Executive Council, *in her official capacity* (collectively “Tribal Defendants”) respectfully move to dismiss all claims against them in Plaintiffs’ First Amended Class Action Complaint, with prejudice to future claims.

DATED: August 9, 2019

Respectfully Submitted.

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 9, 2019, I electronically filed the foregoing document with the Clerk of Court using the ECF system, which will send notification of such filing to the following:

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